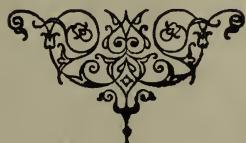


CAN PAST GUIDE FUTURE?



WASHINGTON'S BIRTHDAY ADDRESS

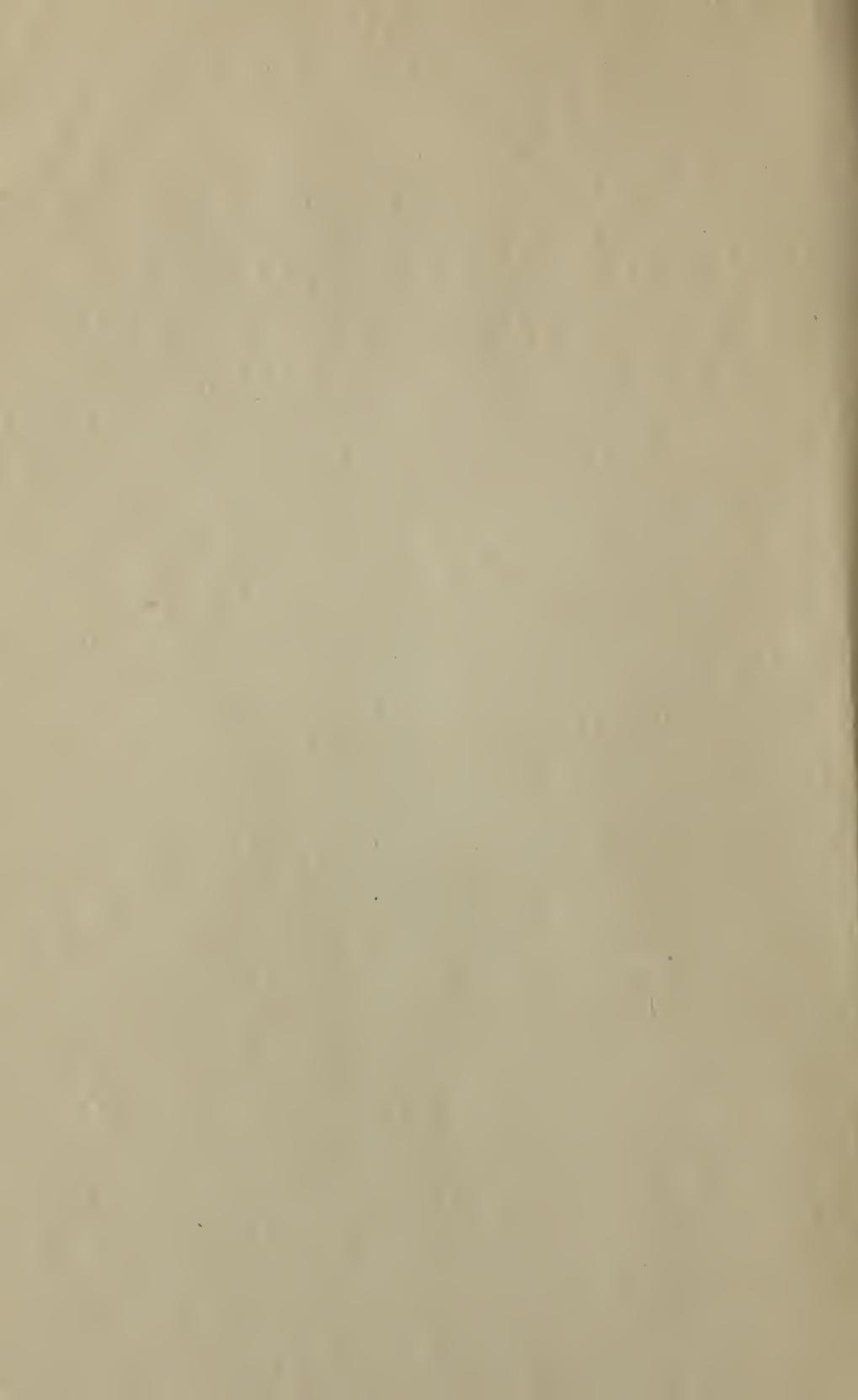
DELIVERED BY

HON. EDWARD J. McDERMOTT,
Lieutenant Governor of Kentucky

BEFORE THE

CREVE COEUR CLUB
PEORIA, ILLINOIS

February 22, 1913



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"THE BEST OF PROPHETS OF THE FUTURE IS THE PAST."

—Lord Byron.

"EXPERIENCE IS THE SHROUD OF ILLUSIONS."

—Finod.

"THE RULES WHICH EXPERIENCE SUGGESTS ARE BETTER THAN THOSE WHICH THEORISTS ELABORATE IN THEIR LIBRARIES."

—R. S. Storrs.

"HUMAN WISDOM IS THE AGGREGATE OF ALL HUMAN EXPERIENCE."

—Story.

"ALL IS BUT LIP-WISDOM WHICH WANTS EXPERIENCE."

—Sir Philip Sidney.

"ALL THE MATERIALS OF OUR KNOWLEDGE COME FROM EXPERIENCE."

—Morell.



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CAN PAST GUIDE FUTURE?

By Hon., Edward J. McDermott.

"Experience keeps a dear school," said Benjamin Franklin, "but fools will learn in no other, and scarcely in that." In 1775 Patrick Henry said: "I have but one lamp by which my feet are guided and that is the lamp of experience. I know no way of judging the future but by the past." More than three hundred years ago the witty and philosophical Montaigne said: "Is it not a noble farce, wherein kings, republics and emperors have, for so many ages, played their parts, and to which the whole universe serves for a theater?"

To judge the present correctly or to anticipate the future by the past, is the power that mainly distinguishes the wise man from the fool, and that distinguishes man from the brute. As most men have little knowledge, or imperfect knowledge, of history, they constantly have a tendency to repeat unwittingly the blunders of the past. We must study not only what is going on in the world to-day, but also what was tried and either failed or succeeded in other nations and other ages. Only the well-informed, shrewd man, with a philosophical mind of broad sweep, can see clearly the dominating inclination of men in all ages and countries and those tendencies of public measures and events which inevitably lead a people in a certain direction; and only such a man, if unbiased, can see that no reasoning or statute will long stop those inclinations and tendencies, or far divert them till the inevitable end is reached. They are unseen or unheeded by most men, however intelligent and well-meaning. It is easy for mistaken or self-seeking men in making comparisons with the past to confuse or mislead others by dwelling upon plausible, unsound reasons or on superficial but unimportant differences as to times and circumstances.

Good Men May Err.

Even intelligent, strong men, while pursuing something that seems to them wholly good, may be creating evils or troubles never imagined as possible, much less foreseen as inevitable. The long and costly effort of Germany in the middle

ages to establish the holy Roman empire and to possess rich and cultured Italy, and to dominate Europe, finally brought Germany down from her powerful position and weakened her for many generations. The triumphs of France in the Napoleonic era gave her new vigor and immortal glory, but the final penalty was great. England, for several hundred years, steadily sought to gain great wealth and power by developing her commerce and her navy and her foreign possessions, and she succeeded; but her people, crowded, and the great mass of them very poor, are becoming discontented. To-day she is confronted with grave problems which are the direct and inevitable result of that career. To help the poor and the pauperized masses in her commercial, mining and manufacturing centers, without too greatly burdening the thrifty people of the middle class, and without overtaxing the rich, she is wrestling with dangerous domestic questions, while the growing, threatening power of Germany, her first dangerous rival in a hundred years, keeps her in a constant state of uneasiness. Goldsmith truly said:

“Where wealth and freedom reign, contentment fails;
“And honor sinks where commerce long prevails.”

The Price of Progress.

We all want to get riches for ourselves, for our city, state and nation. A man who has nothing of his own to excite his pride glories in his community, because he regards himself as a sharer in its strength and prestige. We try to foster big factories and big cities; and yet that usually means a crowded population with all that implies, including greed, social injustice, strikes, and grinding poverty close beside the luxurious homes of the rich. Wealth means luxury, which enervates and vulgarizes; with luxury usually go social discontent, a diminishing birth rate, an increasing amount of criminality and suicides. Jefferson said, “Great cities are great sores.” Our cities are growing fast at the expense of the farms where necessary labor cannot be gotten. The cost of living rises for many reasons, but the rise is increased because we are demanding luxuries for almost everybody, and because we are not producing food in as great a ratio as our numbers grow. Many of our citizens want us to

expand our dominions and to increase the bounties of the state to the thriftless as well as to the unfortunate. That means more cares, heavier taxes on the thrifty even of moderate means, more office holders, more socialistic experiments, and greater risks of foreign wars. The doctrine of laissez-faire, or the doctrine that the state should avoid the paternalistic policies as much as possible, and interfere as little as possible with the natural laws of trade and life, was long attacked and largely discarded in order to protect our manufacturers and traders from those of Europe. Now the prevailing and probably unavoidable doctrine is that we must also disregard the laissez-faire doctrine in order to protect our laborers from our own manufacturers and traders. The tendency of late to enlarge public charities, bounties and pensions, and to increase the comforts, luxuries and pleasures of the cities, helps to increase greatly the burden of taxation, to make life easier to the thriftless or criminal man and his family, and to draw people more and more into the cities.

Virtue the Nation's Strength.

The salvation of any nation must depend primarily upon the virtues of the people, and secondarily upon the form or structure of the government. The private virtues of the people must depend upon the education, religion and morality of the family. The family has rights and duties with which the state should not lightly, and cannot safely, interfere. On the virtues and care of the father and mother must largely depend the character of the children. The public virtues of the people will depend largely on the church, the school, the press and the courts. At present there is a tendency to control too much the rights of parents, to make our public schools too expensive and too expansive, and to teach too many things which ought to be taught in the family or in the shop. The church, unfortunately, is losing some of its power over the lives of the people. Education can never be a substitute for religion, and education has little effect on morality. The press has a tendency to become too much impregnated with commercialism and demagogery.

The courts need great improvement in the simplifica-

tion of legal machinery or procedure, though the fundamental principles of justice administered are sound. Wealth or luxury always has undermined, and always will undermine, religion and liberty. We see everybody clamoring for his rights, real or imaginary. We find nobody willing to hear of obedience to the parent, the teacher, the church, the courts, the law. Everybody is demanding rights, comforts and pleasures. Nobody's voice reaches far who speaks of duty, of the benefit and pleasure of honest labor, of economy, of self-denial, of stern justice.

The most popular speakers and writers are those who flatter our personal or state or national vanities, who tell us how to make money easily, how to get learning easily, how to get pleasure easily, how to get offices, bounties, pensions, public comforts, and free advantages at the expense of the taxpayers, how to make the life of the criminal and the thriftless or dishonest almost as agreeable as that of the industrious and honest. Only the poor or friendless are sure of legal punishment.

Many of our educators and law-makers condemn the study of Latin and Greek, and Grecian and Roman history; and yet those nations, in the main, went through the same experiences we are going through. They talked, wrote, legislated, tried their suits, fought, built great buildings and splendid roads, and rejoiced and suffered as we do now; and, at times, were governed, in all substantials as we are now. **Every socialistic panacea for public evils advocated now was tried then.** Physical or scientific discoveries, or modern inventions, make no difference in the feelings, passions, motives and tendencies of men. Their ambitions, hatreds, vices and virtues are practically the same, whether they read by candle or electric light, and whether they travel by horse-back, by stage coach, or in a Pullman car with lightning speed.

A cultivated Greek like Plato or Aristotle, a cultivated Roman like Caesar, Cicero or Pliny, even without our advantage of a broader view of history, could understand questions of government and justice practically as well as we. All forms of government were tried before them or in their day. Literature, art, trade, architecture, road building, luxurious living, were fully at their command,

even though some of our modern conveniences were unknown to them. Though citizenship was not given to all, the rights and duties of citizens then were as well understood in their day as now. Every Roman citizen, in the best days of the republic, was as proud as a king and knew that he could not be wronged by anybody with impunity when he could truly say: *Civis Romanus Sum.* In degenerate days it was the challenge of St. Paul.

Monopoly and Speculation Old.

Twenty-three hundred years ago Athens had laws to regulate trade and to prevent "corners" in grain. Certain retail grain dealers, as we learn from a speech written by Lysias, were prosecuted by a senator for raising the price of bread by buying and storing more grain than any retailer was allowed to buy at one time. The penalty was death, and the dealers were probably convicted. Lately a speculator of Chicago was fined \$5,000 for conspiring to get up "a corner" on cotton. A few years ago he made millions by doing the same with grain. There were corporations, monopolies and trusts in Rome when the Savior was preaching for honest labor, justice and unselfishness. The speeches in the parliament of England in 1601 against the unbearable monopolies of that day are in substance like those in America now. Hume, in his History of England, tells us that, though James I. called in and canceled the patents of monopoly which Queen Elizabeth and he had lavished on their political backers and personal parasites, "the exclusive companies still remained" and other companies engrossed foreign trade. "Almost all the commerce of England was centered in London," said he. "Nay, the whole trade of London was confined to about 200 citizens who were easily enabled by combining among themselves to fix whatever price they pleased, both on the exports and imports of the nation." Horace Mann, who died just before the Civil War, saw clearly and said plainly and eloquently that "swollen fortunes" would soon be a great danger to the republic. Many of those fortunes have been gotten by undeserved favors from the government. The trouble in London in 1601 was the same as the trouble in New York

in 1913. The shrewd and the selfish will always take advantage of the masses; but it is our part to see that what the government can wisely do it shall do to minimize the evils, without fundamentally altering and impairing its foundations.

Cannot Safely Alter Government.

We cannot safely change our republic into a pure democracy or a hybrid democracy. In a country so vast as ours the people cannot be brought together to legislate and to govern directly. We must use representatives in order that there may be calm discussion and careful action. If the people cannot wisely choose honest and sensible lawmakers, judges and executive officers, they cannot wisely pass upon proposed laws or judicial decisions or administrative acts.

There are a few questions that can be very appropriately submitted and that ought to be submitted to a popular vote, but to expect the people to vote upon a great many questions, whether simple or complicated, is to expect more than ever has been or ever will be satisfactorily done. I have seen a sample ballot used in Oregon on November 5, 1912. It is two feet ten inches long and one foot six inches wide; it contains the names of 152 candidates and five sets of presidential electors, with five persons in each set. It also contains the mere titles of forty legislative acts on which the people were to vote. It is unreasonable to suppose that such a system of popular government can ever give satisfaction.

If elections be corrupt under the old system, they will be corrupt under the new. If good men cannot be gotten into legislative bodies under the present system, they

cannot be gotten into legislative bodies that are not to be trusted to decide simple matters of legislation.

Until the American constitution was adopted the civilized world knew only of flexible and easily changeable constitutions. Such a flexible constitution had Rome and has England now. Of late years nearly all constitutions adopted by any country have been more or less rigid constitutions, like our own. Every constitution, including our own, can be amended, after mature discussion and reasonable delay, when passion can cool and calm judgment can assert itself. In England, Magna Charta and the Bill of Rights were intended to protect the people against the king. Men fond of arbitrary power, or with a domineering will, who wanted to be free to do whatever they liked on the spur of the moment, were always opposed to a fixed and stable constitution. Such men are restive under any restraint. We have amended the constitution this year in one important particular, and by this time next year it is likely that another amendment providing for the election of United States senators by the people will be adopted.

The Majority Control.

It is clear, therefore, that any amendment, really desired by a large majority of our people, can at any time be adopted. No amendment ought to be adopted until there is such a majority in its favor. Any respectable minority who dissent should be protected until the calm judgment of the country has been carefully made up. One of the great virtues of our constitution is that it is intended to protect the minority in their rights. The minority of one day may be the majority of another. No constitution can stand which does not fairly represent the sober judgment of the best people of the land. The Roman constitution lasted so long because the people had, in the words of James Bryce, "in an eminent degree, the three qualities of legal-mindedness, of conservatism and of keen practical intelligence. * * * It fell at last because the mass of the citizens became unfit to discharge their function in the scheme. * * * It is upon public opinion, molded by tradition, that all free governments must in the last resort rely."

The People's Bulwark.

A rigid or stable constitution is indispensably necessary for the people—especially for the minority—when the laws are made, not directly by the people, but by their representatives. Slight deviations, which became more frequent, gradually altered the Roman constitution, and led to its overthrow and the downfall of the republic.

To preserve our own constitution and to free the slaves, the north made heroic sacrifices. All over the land are the graves of men who gave up their lives that that constitution might stand unimpaired for us and for generations to come. It was prepared by wise, brave men who risked their lives and fortunes to establish the freedom which it assured. At their head stood George Washington. In the constitutional convention and before the people, his great and deserved influence made that constitution possible. We cannot safely mar or destroy it. Its fundamental principles are no more out of date than the ten commandments are out of date. We may reverently and slowly make a few slight alterations here and there, but we cannot allow any one to destroy any of its magnificent and enduring pillars.

As we have a fixed constitution, we must have a supreme court to interpret it fearlessly and impartially. South Carolina in 1833 claimed the right for each state to interpret it, but Andrew Jackson's stern "No" settled that controversy then. The sword settled the same question in the civil war. If the supreme court is to perform its indispensable function, it must have the respect and support of the people even when they do not entirely agree with its decisions. In the great book of Mr. James Bryce on "Studies in History and Jurisprudence," he shrewdly foretold that the efforts of that court and the other federal courts to protect the rights of the minority and the fundamentals of the constitution now and then

against a clamorous majority, and against all kinds of reformers, would necessarily beget irritation and criticism of the constitution and the courts at times, though for a century those courts were patiently obeyed and generally revered.

Reforms Are Needed.

That we ought to have and will have many reforms in municipal, state and national government before long, is clear, but they must be discussed and proposed by the ablest and safest men among us—by men who are fitted by training and character to lead us to sure, firm ground. Not every man who clamors for progress can be trusted as a guide. The formation of a sound public opinion, rather than the fleeting popular sentiment which too often rules us like a harsh or foolish despot, must be the aim of the best men in the land. The principles of morality and justice, with due respect to the past and to the immutable laws of political well-being, must shape our course. Rash experiments, ignorantly or flippantly advocated, with whatever earnestness and ingenuity, should be scrutinized and exposed when there is no heated political controversy going on to distract attention or warp the public judgment. There are always many false teachers and false prophets and mere quacks in the land.

When I was in Germany at the university we used to sing an old German song, which I shall translate thus:

I'm furious Doctor Eisenbart,
I cure the people by my art;
The blind are made to walk by me,
And then the lame are made to see.

As we turn our eyes backward over the past to-night many great names and beloved faces appear. Hamilton, Jefferson, Jackson, Webster and Clay and a long line of brilliant, patriotic men stand before us; but I have not the time to dwell upon them. Washington, for courage, purity, skill and practical wisdom, for winning our freedom and procuring the adoption of our constitution, stands first. In Kentucky the great, noble and martyred Lincoln, and the able and brave Davis were born and

there spent part of their boyhood, and there selected a wife. We now honor both because both were sincere, though we now know that Lincoln's triumph was best. To Grant also we can do full justice and rejoice in his fame; but in the south we point with a special pride to the brilliant genius and the noble character of the perfect gentleman, Robert E. Lee, who, after the war, modestly but dutifully spent the last years of his life in guiding young men to the proper conception of true learning, and high character. As time goes by we can do them all justice.

Kentucky has given to Illinois many eminent men, and after all it is good men we need more than the wisest laws. As Doctor Holland long ago said, we need strong men with pure hearts, with clear heads, with resolute wills, with high sense of honor, with thoughts and purposes above money, temporary applause and public office:

“Tall men, sun-crowned, who live above the fog,
In public duty, and in private thinking.”

Such men, whom money cannot lure nor a low ambition fetter, who know the past and are guided by its light and learning, but who also know the needs of this day, whose hearts sympathize with their fellowmen in every walk and whose minds are open to the new day, are the men to carry forward the immortal work of Washington.



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